

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

DEMETRIUS BROWN,
Plaintiff,

v.

U.S. JUSTICE DEPARTMENT,
BUREAU OF PRISONS, FCI MCKEAN,
WARDEN JOHN J. LAMANNA,
REGIONAL DIRECTOR D. SCOTT
DODRILL, MEDICAL DIRECTOR
NEWTON E. KENDIG, DIRECTOR
HARLEY G. LAPPIN,
Defendants.

Civil Action No. 04-379 Erie

U.S. DISTRICT COURT
CLERK

06 APR -3 P1:34

FILED

MOTION FOR PRETRIAL CONFERENCE,
SCHEDULING AND MANAGEMENT

COMES NOW, DEMETRIUS BROWN, herein as Plaintiff, proceeding Pro-Se, hereby moves this Honorable Court, the United States District Court for the Western District of Pennsylvania pursuant to Federal Rules of Civil Procedure, Rule 16, for an ORDER directing parties, both for the Plaintiff and Defendants, to appear before the Court for conference, scheduling and management of the case pending. In support, Plaintiff affirms and declares under penalty of perjury, the following:

I. Pretrial Conference is a necessity to:

- (1) expediting the disposition of the action;
- (2) establishing early and continuing control so that

the case will not be protracted because of lack of management;

(3) discouraging wasteful pretrial activities;

(4) improving the quality of the trial through more thorough preparation, and

(5) facilitating the settlement of the case.

II. Scheduling and Planning is a necessity to;

(1) to join other parties and to amend the pleadings;

(2) to file motions; and

(3) to complete discovery;

(4) modifications of the times for disclosures under Fed.R.Civ.P. 26(a) and 26(e)(1) and of the extent of discovery to be permitted;

(5) the date or dates for conferences before trial, a final pretrial conference, and trial; and

(6) any other matters appropriate in the circumstances of the case.

WHEREFORE, the Court should **GRANT** the foregoing Motion and Order Conference, Scheduling and Management.

I, DEMETRIUS BROWN, hereby affirm and declare under penalty of perjury, 28 U.S.C. §1746, that the foregoing is true and correct.

3-28-06
Dated

Demetrius Brown

cc:file
db/db

IN THE UNITED STATES DISTRICT COURT
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DEMETRIUS BROWN,
Plaintiff,

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U.S. JUSTICE DEPARTMENT,
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WARDEN JOHN J. LAMANNA,
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HARLEY G. LAPPIN,
Defendants.

Civil Action No. 04-379 Erie

ORDER

AND NOW, this _____ day of March, 2006;

IT IS HEREBY ORDERED THAT, both parties, Plaintiff and Defendants shall appear before the Court for conference or conferences before trial. That, the purpose of conference shall be for (1) expediting the disposition of the action; (2) establishing early and continuing control so that the case will not be protracted because of lack of management; (3) discouraging wasteful pretrial activities; (4) improving the quality of the trial through more thorough preparation, and; (5) facilitating the settlement of the case.

IT IS FURTHER ORDERED THAT, conference shall be held on the _____ day of _____, 2006 in the United States

District Court for the Western District of Pennsylvania at
_____ a.m./p.m.

IT IS FURTHER ORDERED THAT, that the parties **shall**, as soon as practicable and in any event at least 14 days before a scheduling conference is held or a scheduling order is due, meet to discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case, to make or arrange for the disclosures required by Fed.R.Civ.P. 26(a)(1), and to develop a proposed discovery plan.

IT IS FURTHER ORDERED THAT, the Magistrate Judge **shall** after consulting with both parties, the Plaintiff and the Defendants, by a scheduling conference, telephone, mail, or other suitable means, enter a scheduling order that limits the time (1) to join other parties and to amend the pleadings; (2) to file motions; and (3) to complete discovery. The scheduling order may also include (4) modifications of the times for disclosures under Fed.R.Civ.P. 26(a) and 26(e)(1) and of the extent of discovery to be permitted; (5) the date or dates for conferences before trial, a final pretrial conference, and trial; and (6) any other matters appropriate in the circumstances of the case.

IT IS FURTHER ORDERED THAT, the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

/s/

cc: All parties of record

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

DEMETRIUS BROWN,)	
Plaintiff,)	
)	
)	
v.)	Civil Action No. 04-379 Erie
)	
U.S. JUSTICE DEPARTMENT,)	
BUREAU OF PRISONS, FCI MCKEAN,)	
WARDEN JOHN J. LAMANNA,)	
REGIONAL DIRECTOR D. SCOTT)	
DODRILL, MEDICAL DIRECTOR)	
NEWTON E. KENDIG, DIRECTOR)	
HARLEY G. LAPPIN,)	
<u>Defendants.</u>)	

PROOF OF SERVICE

I, DEMETRIUS BROWN, do swear or declare that on this date, 28th March, 2006, as required by Fed.R.Civ.P. 4 and 5, I have served the enclosed MOTION FOR SANCTION AGAINST DEFENDANTS and MOTION FOR PRETRIAL CONFERENCE, SCHEDULING AND MANAGEMENT on each party to the above proceedings or that of party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in FCI RayBrook's internal mail system for mail in the United States, mail properly addressed to each of them and with first-class postage prepaid.

The names and addresses of those served are as follows:

MEGAN E. FARRELL	at	700 Grant St. Suite 4000
Assistant U.S. Attorney		Pittsburgh, PA. 15219
Western District of PA.		

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 28, 2006

Demetrius Brown

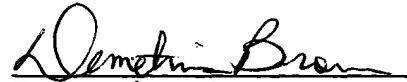
3/28/06

Dear Clerk of Court:

Enclosed you will find one (1) original copy of a Motion for Sanction against Defendants and a Motion for Pretrial Conference, Scheduling and Management.

Please file with the Court accordingly. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Demetrius Brown", is written over a horizontal line.

Demetrius Brown
Reg. No. 21534-039
FCI RayBrook
P.O. Box 9001
RayBrook, NY. 12977

cc:file
db/db